



# House of Representatives

General Assembly

**File No. 336**

*January Session, 2005*

Substitute House Bill No. 6784

*House of Representatives, April 13, 2005*

The Committee on Environment reported through REP. ROY of the 119th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## **AN ACT CONCERNING THE LICENSING OF POULTRY DEALERS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. (NEW) (*Effective from passage*) (a) As used in this section:

2       (1) "Commissioner" means the Commissioner of Agriculture.

3       (2) "Dealer" means any person, firm or corporation engaged in the  
4       business of buying, receiving, selling, bartering, exchanging,  
5       negotiating or soliciting the sale, resale or exchange of live poultry or  
6       hatching eggs or a person, firm or corporation engaged in the  
7       transportation, transfer or shipment of any live poultry or hatching  
8       eggs or a producer who is a wholesaler, distributor or hauler of live  
9       poultry or hatching eggs.

10       (3) "Hauler" means any person, firm or corporation that transports  
11       live poultry or hatching eggs from premises to premises, to a  
12       distributor, to a live bird market or to a dealer.

13       (4) "Live bird market" means a facility at which live poultry or  
14       hatching eggs are congregated for sale or to be slaughtered and  
15       dressed for sale to the public or restaurants or to be sold live for any  
16       purpose.

17       (5) "Poultry" means any species of domestic fowl, including, but not  
18       limited to, chickens, turkeys, ostriches, emus, rheas, cassowaries,  
19       waterfowl and game birds raised for food production, breeding,  
20       exhibition or sale.

21       (6) "Producer" means any person, firm or corporation engaged in  
22       the breeding, raising or keeping of poultry for the purpose of food  
23       production, hatching egg production or for show or exhibition.

24       (b) Annually, each poultry dealer conducting business within the  
25       state shall apply for a license upon forms furnished by the  
26       commissioner. The license fee shall be established pursuant to  
27       subsection (f) of this section. Youth groups that are exempt from  
28       taxation under Section 501(c)(3) of the Internal Revenue Code of 1986,  
29       or any subsequent corresponding internal revenue code of the United  
30       States, as from time to time amended, shall be exempt from the  
31       payment of the license fee. The commissioner shall issue such license  
32       unless, in the commissioner's sole discretion, the commissioner deems  
33       it in the best interest of the public to refuse issuance thereof. In  
34       refusing to issue a license, the commissioner shall give due regard to  
35       whether the applicant has had such a license previously revoked or  
36       suspended or has violated any state or federal law or regulation  
37       concerned with interstate transport of live poultry and hatching eggs  
38       or live poultry health requirements. Each license shall be  
39       nontransferable and shall be in effect from July first through the last  
40       day of June of the next succeeding year.

41       (c) Each license shall be shown, upon request, to any person with  
42       whom the licensee conducts or proposes to conduct business.

43       (d) Any poultry dealer licensed under this section shall keep  
44       accounts and records that fully and clearly disclose all transactions

45 related to the conduct of such dealer's business. Such records shall be  
46 made available at any time for inspection by the commissioner or the  
47 commissioner's authorized agent for the purpose of determining the  
48 origin and destination of any live poultry handled by the dealer.  
49 Information relating to the general business of the dealer that is  
50 disclosed in the course of an inspection by the commissioner or by the  
51 commissioner's authorized agent and that is not related to the  
52 immediate purpose of the inspection shall be confidential and not  
53 disclosed except as required by law.

54 (e) The provisions of this section do not apply to any person, firm or  
55 corporation that is only a producer, except that a producer who  
56 transports live poultry directly to a live bird market, wholesaler,  
57 distributor or other dealer shall be deemed a hauler and subject to the  
58 provisions of this section.

59 (f) The Commissioner of Agriculture may adopt regulations, in  
60 accordance with the provisions of chapter 54 of the general statutes, to  
61 ensure compliance with this section and to ensure the public health  
62 and safety. Such regulations shall include: (1) Sanitation standards for  
63 vehicles, crates, facilities and other appurtenances used to transport  
64 and hold poultry or hatching eggs, both in transit and at any place  
65 where poultry or hatching eggs are held for the purposes of being sold  
66 or offered for sale; (2) the health requirements for poultry and hatching  
67 eggs, including, but not limited to, required tests, vaccinations or other  
68 methods used to prevent poultry disease; (3) the manner and form of  
69 records to be kept, including, but not limited to, identification of the  
70 origin of poultry or hatching eggs, poultry animal health records, test  
71 results or copies of sales records and dates; (4) individual bird and  
72 premise identification; and (5) the fee for a poultry dealer license.

73 (g) The commissioner may: (1) Revoke or suspend a poultry dealer's  
74 license, or (2) assess an administrative civil penalty pursuant to section  
75 22-7 of the general statutes for a violation of this section.

76 Sec. 2. Section 51-164n of the general statutes is repealed and the  
77 following is substituted in lieu thereof (*Effective from passage*):

78 (a) There shall be a Centralized Infractions Bureau of the Superior  
79 Court to handle payments or pleas of not guilty with respect to the  
80 commission of infractions and violations under subsection (b) of this  
81 section. Except as provided in section 51-164o, any person who is  
82 alleged to have committed an infraction or a violation under  
83 subsection (b) of this section may plead not guilty or pay the  
84 established fine and any additional fee or cost for the infraction or such  
85 violation.

86 (b) Notwithstanding any provision of the general statutes, any  
87 person who is alleged to have committed (1) a violation under the  
88 provisions of section 1-9, 1-10, 1-11, 4b-13, 7-13, 7-14, 7-35, 7-41, 7-83, 7-  
89 283, 7-325, 7-393, 8-25, 8-27, 9-63, 9-296, 9-305, 9-322, 9-350, 10-193, 10-  
90 197, 10-198, 10-230, 10-251, 10-254, 12-52, 12-170aa, 12-292, or 12-326g,  
91 subdivision (4) of section 12-408, subdivision (3), (5) or (6) of section  
92 12-411, section 12-435c, 12-476a, 12-476b, 12-487, 13a-71, 13a-107, 13a-  
93 113, 13a-114, 13a-115, 13a-117b, 13a-123, 13a-124, 13a-139, 13a-140, 13a-  
94 143b, 13a-247 or 13a-253, subsection (f) of section 13b-42, section 13b-  
95 90, 13b-221, 13b-292, 13b-336, 13b-337, 13b-338, 13b-410a, 13b-410b or  
96 13b-410c, subsection (a), (b) or (c) of section 13b-412, section 13b-414,  
97 subsection (d) of section 14-12, section 14-20a or 14-27a, subsection (e)  
98 of section 14-34a, subsection (d) of section 14-35, section 14-43, 14-49,  
99 14-50a or 14-58, subsection (b) of section 14-66, section 14-66a, 14-66b  
100 or 14-67a, subsection (g) of section 14-80, subsection (f) of section 14-  
101 80h, section 14-97a, 14-100b, 14-103a, 14-106a, 14-106c, 14-146, 14-152,  
102 14-153 or 14-163b, a first violation as specified in subsection (f) of  
103 section 14-164i, section 14-219 as specified in subsection (e) of said  
104 section, section 14-240, 14-249 or 14-250, subsection (a), (b) or (c) of  
105 section 14-261a, section 14-262, 14-264, 14-267a, 14-269, 14-270, 14-275a,  
106 14-278 or 14-279, subsection (e) of section 14-283, section 14-291, 14-  
107 293b, 14-319, 14-320, 14-321, 14-325a, 14-326, 14-330 or 14-332a,  
108 subdivision (1), (2) or (3) of section 14-386a, section 15-33, subsection  
109 (a) of section 15-115, section 16-256, 16-256e, 16a-15 or 16a-22,  
110 subsection (a) or (b) of section 16a-22h, section 17a-24, 17a-145, 17a-149,  
111 17a-152, 17a-465, 17a-642, 17b-124, 17b-131, 17b-137 or 17b-734,  
112 subsection (b) of section 17b-736, section 19a-30, 19a-33, 19a-39 or 19a-

113 87, subsection (b) of section 19a-87a, section 19a-91, 19a-105, 19a-107,  
114 19a-215, 19a-219, 19a-222, 19a-224, 19a-286, 19a-287, 19a-297, 19a-301,  
115 19a-309, 19a-335, 19a-336, 19a-338, 19a-339, 19a-340, 19a-425, 19a-502,  
116 20-7a, 20-14, 20-158, 20-231, 20-257, 20-265 or 20-324e, subsection (a) of  
117 section 20-341, section 20-341l, 20-597, 20-608, 20-610, 21-30, 21-38, 21-  
118 39, 21-43, 21-47, 21-48, 21-63, 21-76a, 21a-21, 21a-25, 21a-26 or 21a-30,  
119 subsection (a) of section 21a-37, section 21a-46, 21a-61, 21a-63 or 21a-  
120 77, subsection (b) of section 21a-79, section 21a-85, 21a-154, 21a-159,  
121 21a-201, 21a-211, 22-13, 22-14, 22-15, 22-16, 22-29, 22-34, 22-35, 22-36,  
122 [22-37,] 22-38, 22-39, 22-39a, 22-39b, 22-39c, 22-39d, 22-39e, 22-49, 22-54,  
123 22-61, 22-89, 22-90, 22-98, 22-99, 22-100, 22-111o, 22-279, 22-280a, 22-  
124 318a, 22-320h, 22-324a, 22-326 or 22-342, subsection (b) or (e) of section  
125 22-344, section 22-359, 22-366, 22-391, 22-413, 22-414, 22-415, 22a-66a or  
126 22a-246, subsection (a) of section 22a-250, subsection (e) of section 22a-  
127 256h, subsection (a) of section 22a-381d, section 22a-449, 22a-461, 23-37,  
128 23-38, 23-46 or 23-61b, subsection (a) or (b) of section 23-65, section 25-  
129 37, 25-40, 26-19, 26-21, 26-31, 26-40, 26-40a, 26-49, 26-54, 26-59, 26-61,  
130 26-64, 26-79, 26-89, 26-97, 26-107, 26-117, 26-128, 26-131, 26-132, 26-138,  
131 26-141, 26-207, 26-215, 26-224a, 26-227, 26-230, 26-294, 28-13, 29-6a, 29-  
132 109, 29-161y, 29-161z, 29-198, 29-210, 29-243, 29-277, 29-316, 29-318, 29-  
133 341, 29-381, 30-48a, 30-86a, 31-3, 31-10, 31-11, 31-12, 31-13, 31-14, 31-15,  
134 31-16, 31-18, 31-23, 31-24, 31-25, 31-28, 31-32, 31-36, 31-38, 31-38a, 31-40,  
135 31-44, 31-47, 31-48, 31-51, 31-51k, 31-52, 31-52a or 31-54, subsection (a)  
136 or (c) of section 31-69, section 31-70, 31-74, 31-75, 31-76, 31-76a, 31-89b  
137 or 31-134, subsection (i) of section 31-273, section 31-288, 36a-787, 42-  
138 230, 45a-450, 45a-634 or 45a-658, subdivision (13) or (14) of section 46a-  
139 54, section 46a-59, 46b-22, 46b-24, 46b-34, 47-34a, 47-47, 49-8a, 49-16 or  
140 53-133, subsection (a) or (b) of section 53-211, or section 53-212a, 53-  
141 249a, 53-252, 53-264, 53-302a, 53-303e, 53-311a, 53-321, 53-322, 53-323,  
142 53-331, 53-344 or 53-450, or (2) a violation under the provisions of  
143 chapter 268, or (3) a violation of any regulation adopted in accordance  
144 with the provisions of section 12-484, 12-487 or 13b-410, shall follow  
145 the procedures set forth in this section.

146 (c) If any person who is alleged to have committed an infraction or  
147 any violation specified in subsection (b) of this section elects to pay the

148 fine and any additional fees or costs established for such infraction or  
149 violation, he shall send payment, by mail or otherwise, to the  
150 Centralized Infractions Bureau, made payable to the "clerk of the  
151 Superior Court". Such payment shall be considered a plea of nolo  
152 contendere and shall be inadmissible in any proceeding, civil or  
153 criminal, to establish the conduct of the person, provided the  
154 provisions of this section and section 51-164m shall not affect the  
155 application of any administrative sanctions by either the  
156 Commissioner of Environmental Protection authorized under title 26  
157 or the Commissioner of Motor Vehicles authorized under title 14,  
158 except that no points shall be assessed by the Commissioner of Motor  
159 Vehicles against the operator's license of such person for such  
160 infraction or violation. The Judicial Department shall provide notice of  
161 the provisions of this subsection to law enforcement agencies and  
162 direct each law enforcement agency issuing a complaint to provide  
163 such notice to any person who is alleged to have committed a motor  
164 vehicle infraction or violation at the time a complaint alleging such  
165 conduct is issued to such person.

166 (d) If the person elects to plead not guilty, he shall send the plea of  
167 not guilty to the Centralized Infractions Bureau. The bureau shall send  
168 such plea and request for trial to the clerk of the geographical area  
169 where the trial is to be conducted. Such clerk shall advise such person  
170 of a date certain for a hearing.

171 (e) A summons for the commission of an infraction or of a violation  
172 specified in subsection (b) of this section shall not be deemed to be an  
173 arrest and the commission of an infraction or of any such violation  
174 shall not be deemed to be an offense within the meaning of section 53a-  
175 24.

176 (f) The provisions of this section shall apply to the alleged  
177 commission of an infraction or a violation specified in subsection (b) of  
178 this section by a minor but, in a case involving a minor, a parent or  
179 guardian shall sign any plea of nolo contendere or of not guilty on any  
180 summons form issued in connection with the matter.

181 (g) In any trial for the alleged commission of an infraction, the  
182 practice, procedure, rules of evidence and burden of proof applicable  
183 in criminal proceedings shall apply. Any person found guilty at the  
184 trial or upon a plea shall be guilty of the commission of an infraction  
185 and shall be fined not less than thirty-five dollars or more than ninety  
186 dollars.

187 (h) In any trial for the alleged commission of a violation specified in  
188 subsection (b) of this section, the practice, procedure, rules of evidence  
189 and burden of proof applicable in criminal proceedings shall apply.  
190 Any person found guilty at the trial or upon a plea shall be guilty of  
191 the commission of a violation and shall be fined not more than the  
192 statutory amount applicable to such violation.

193 Sec. 3. Section 51-344a of the general statutes is repealed and the  
194 following is substituted in lieu thereof (*Effective from passage*):

195 (a) Whenever the term "judicial district of Hartford-New Britain" or  
196 "judicial district of Hartford-New Britain at Hartford" is used or  
197 referred to in the following sections of the general statutes, it shall be  
198 deemed to mean or refer to the judicial district of Hartford on and after  
199 September 1, 1998: Sections 1-205, 1-206, 2-48, 3-21a, 3-62d, 3-70a, 3-  
200 71a, 4-61, 4-160, 4-164, 4-177b, 4-180, 4-183, 4-197, 5-202, 5-276a, 8-30g,  
201 9-7a, 9-7b, 9-369b, 10-153e, 12-208, 12-237, 12-268l, 12-312, 12-330m, 12-  
202 405k, 12-422, 12-448, 12-454, 12-456, 12-463, 12-489, 12-522, 12-554, 12-  
203 565, 12-572, 12-586f, 12-597, 12-730, 13b-34, 13b-235, 13b-315, 13b-375,  
204 14-57, 14-66, 14-67u, 14-110, 14-195, 14-311, 14-311c, 14-324, 14-331, 15-  
205 125, 15-126, 16-41, 16a-5, 17b-60, 17b-100, 17b-238, 17b-531, 19a-85, 19a-  
206 86, 19a-123d, 19a-425, 19a-498, 19a-517, 19a-526, 19a-633, 20-12f, 20-13e,  
207 20-29, 20-40, 20-45, 20-59, 20-73a, 20-86f, 20-99, 20-114, 20-133, 20-154,  
208 20-156, 20-162p, 20-192, 20-195p, 20-202, 20-206c, 20-227, 20-238, 20-247,  
209 20-263, 20-271, 20-307, 20-341f, 20-363, 20-373, 20-404, 20-414, 21a-55,  
210 21a-190i, 21a-196, 22-7, [22-37,] 22-64, 22-195, 22-228, 22-248, 22-254, 22-  
211 320d, 22-326a, 22-344b, 22-386, 22a-6b, 22a-7, 22a-16, 22a-30, 22a-34,  
212 22a-53, 22a-60, 22a-62, 22a-63, 22a-66h, 22a-106a, 22a-119, 22a-163m,  
213 22a-167, 22a-180, 22a-182a, 22a-184, 22a-220a, 22a-220d, 22a-225, 22a-

214 226, 22a-226c, 22a-227, 22a-250, 22a-255l, 22a-276, 22a-285a, 22a-285g,  
 215 22a-285j, 22a-310, 22a-342a, 22a-344, 22a-361a, 22a-374, 22a-376, 22a-  
 216 408, 22a-430, 22a-432, 22a-438, 22a-449f, 22a-449g, 22a-459, 23-5e, 23-  
 217 65m, 25-32e, 25-36, 28-5, 29-158, 29-161z, 29-317, 29-323, 29-329, 29-334,  
 218 29-340, 29-369, 30-8, 31-109, 31-249b, 31-266, 31-266a, 31-270, 31-273, 31-  
 219 284, 31-285, 31-339, 31-355a, 31-379, 35-3c, 35-42, 36a-186, 36a-187, 36a-  
 220 471a, 36a-494, 36a-517, 36a-587, 36a-647, 36a-684, 36a-718, 36a-807, 36b-  
 221 26, 36b-27, 36b-30, 36b-50, 36b-71, 36b-72, 36b-74, 36b-76, 38a-41, 38a-  
 222 52, 38a-134, 38a-139, 38a-140, 38a-147, 38a-150, 38a-185, 38a-209, 38a-  
 223 225, 38a-226b, 38a-241, 38a-337, 38a-470, 38a-620, 38a-657, 38a-687, 38a-  
 224 774, 38a-776, 38a-817, 38a-843, 38a-868, 38a-906, 38a-994, 42-103c, 42-  
 225 110d, 42-110k, 42-110p, 42-182, 46a-5, 46a-56, 46a-100, 47a-21, 49-73, 51-  
 226 44a, 51-81b, 51-194, 52-146j, 53-392d and 54-211a.

227 (b) If the term "judicial district of Hartford-New Britain" or "judicial  
 228 district of Hartford-New Britain at Hartford" is used or referred to in  
 229 any public act of 1995, 1996, 1997 or 1998 or in any section of the  
 230 general statutes which is amended in 1995, 1996, 1997 or 1998 it shall  
 231 be deemed to mean or refer to the judicial district of Hartford on and  
 232 after September 1, 1998.

233 (c) If the term "judicial district of Hartford-New Britain at New  
 234 Britain" is used or referred to in any public act of 1995, 1996, 1997 or  
 235 1998 or in any section of the general statutes which is amended in 1995,  
 236 1996, 1997 or 1998 it shall be deemed to mean or refer to the judicial  
 237 district of New Britain on and after September 1, 1998.

238 Sec. 4. Section 22-37 of the general statutes is repealed. (*Effective from*  
 239 *passage*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	51-164n
Sec. 3	<i>from passage</i>	51-344a
Sec. 4	<i>from passage</i>	Repealer section



***Statement of Legislative Commissioners:***

In section 1(b), "Not-for-profit youth groups" was deleted and "Youth groups that are exempt from taxation under Section 501(c)(3) of the Internal Revenue Code" was added for clarity. In section 1(f), "license" was added after "dealer" for consistency with section 1(b). Sections 2 and 3 were added to delete statutory references to section 22-37, which is being repealed, and section 2 was renumbered as section 4.

**ENV**      *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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**OFA Fiscal Note****State Impact:**

Agency Affected	Fund-Effect	FY 06 \$	FY 07 \$
Department of Agriculture	GF - Revenue Gain	Minimal	Minimal
Judicial Dept.	GF - Revenue Loss	Less than \$1,000	Less than \$1,000

Note: GF=General Fund

**Municipal Impact:** None**Explanation**

The Department of Agriculture (DOAG) will need to adopt regulations to set new license fees for poultry dealers. The DOAG has been working to update this program. It is anticipated that the regulations can be adopted within their resources. There will be approximately 30 permits issued resulting in a revenue gain starting in FY 07 of under \$1,000. The DOAG does not currently collect poultry dealer's license fees. Any increase in revenue due to the assessment of a fine by the Commissioner of DOAG is anticipated to be minimal.

The bill eliminates the infraction for violating a poultry license, which is punishable by a fine of between \$100 and \$200. Any revenue loss associated with this change would be negligible, as the infraction is rarely imposed.

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**OLR Bill Analysis**

sHB 6784

**AN ACT CONCERNING THE LICENSING OF POULTRY DEALERS****SUMMARY:**

This bill replaces the licensing procedure for, and regulation of, poultry dealers. It expands the entities that must be licensed and establishes record keeping requirements. It allows the agriculture commissioner to adopt regulations, as under existing law, but includes several requirements that must be incorporated, including setting the license fee, which is currently \$15.

As under current law, the commissioner may revoke or suspend a poultry dealer's license, but the bill eliminates a notification and hearing process when he does so.

It also makes conforming changes.

EFFECTIVE DATE: Upon passage

**POULTRY DEALERS*****License Requirements***

Current law requires any person, firm, or corporation engaged in the buying of live poultry in the state from any in-state poultry producer to apply for a license annually. The bill expands the requirement to all poultry dealers in the state, specifying that "dealer" means (1) a person, firm, or corporation engaged in the business of buying, receiving, selling, bartering, exchanging, negotiating or soliciting the sale, resale, or exchange of live poultry or hatching eggs; (2) a business engaged in the transportation, transfer, or shipment of live poultry or hatching eggs; or (3) a producer who is a wholesaler, distributor, or hauler of live poultry or hatching eggs.

The bill defines "hauler" as any person, firm, or corporation that transports live poultry or hatching eggs from place to place, including to a distributor, live bird market, or dealer. It specifies that a producer

who transports live poultry directly to a live bird market, wholesaler, distributor, or other dealer is considered a hauler and subject to the bill's licensing and regulatory requirements. It defines "live bird market" as a facility where live poultry or hatching eggs are assembled (1) for sale or to be slaughtered and dressed for sale to the public or restaurants or (2) to be sold live for any purpose. It defines a "producer" as any person, firm, or corporation engaged in breeding, raising, or keeping of poultry for food production, hatching egg production, or for show or exhibition.

The bill exempts any business that is only a producer from the licensing and regulatory requirements. It also exempts youth groups that are considered charitable organizations and tax exempt under federal law from paying the license fee.

Current law allows the agriculture commissioner to issue two types of licenses, limited and unlimited. The bill eliminates these sub-types and the requirement that an unlimited license holder obtain a surety bond held by the commissioner.

As under current law, each license is nontransferable and must be shown, upon request, to any person with whom the licensee conducts or proposes to conduct business. The bill changes the effective period of a license from March 1 through the last day of February of the following year to July 1 to the last day of June the following year.

Under existing law and the bill, the commissioner may, at his sole discretion, refuse to issue a license if he deems it in the best interest of the public. In refusing a license, the commissioner must consider several factors, including previous license revocations, suspensions, or violations of federal or state poultry law. The bill allows the commissioner to revoke or suspend a poultry dealer's license, as under existing law, but replaces a notification and hearing process with that of the Uniform Administrative Procedure Act.

### ***Record Keeping***

Under the bill, all state licensed poultry dealers must keep accounts and records that fully and clearly disclose all transactions related to the conduct of their business. These records must be made available at any time for inspection by the commissioner or his authorized agent to determine the origin and destination of any live poultry handled by

the dealer. Information relating to the general business of the dealer disclosed in the course of an inspection that is not related to the immediate purpose of an inspection is confidential and not disclosable, except as required by law.

### ***Regulations***

The commissioner may adopt regulations, which, if adopted, must include (1) sanitation standards for vehicles, crates, facilities and other appurtenances used to transport and hold poultry or hatching eggs, both in transit and at any place where poultry or hatching eggs are held to be sold or offered for sale; (2) the health requirements for poultry and hatching eggs, including, required tests, vaccinations or other methods used to prevent poultry disease; (3) the manner and form of records to be kept, including, identification of the origin of poultry or hatching eggs, poultry animal health records, test results or copies of sales records and dates; (4) individual bird and premise identification; and (5) the fee for a poultry dealer.

### ***Violation and Penalty***

The bill replaces the current criminal penalty with a civil penalty and increases fine the commissioner may assess to a maximum of \$2,500 for each violation and \$250 for each day during which the violation continues after the violator receives the commissioner's final order assessing the penalty. Under current law, violators are subject to a fine of \$100 to \$200 for a first offense and between \$200 and \$500 for subsequent offenses, or 10 to 30 days imprisonment, or both.

The bill also eliminates the prohibition against transporting live poultry on any public highway from 9:00 p.m. and 5:00 a.m.

### **COMMITTEE ACTION**

Environment Committee

Joint Favorable Substitute

Yea 26      Nay 0